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Roger Burkhardt

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EXAMINER

CHANG, EDWARD

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/687,578	<b>Applicant(s)</b> BURKHARDT ET AL.	
	<b>Examiner</b> EDWARD CHANG	<b>Art Unit</b> 4143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1~37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1~37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Status of Claims

1. This action is in reply to the application filed on 16<sup>th</sup> of October 2003.
2. Claims 1-37 are currently pending and have been examined.

### Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation *...should get credit...* is vague and indefinite because it is not clear how the claim is bounded. Please change the wording of the claim.

5. Claim 35 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitation *...advertiser can...* is vague and indefinite because it is not clear how the claim is bounded. Please change the wording of the claim.

6. Claims 2 and 3 recite the limitation "*...the trading firm...*" There is insufficient antecedent basis for this limitation in the claim.

7. Claim 10 recites the limitation "*...the report...*" There is insufficient antecedent basis for this limitation in the claim.

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8. Claim 11 recites the limitation "...*the trading identifier*..." There is insufficient antecedent basis for this limitation in the claim.

### **Claim Rejections - 35 USC § 101**

9. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

10. Claims 3 and 8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to two statutory subject matters. The applicant is only allowed to claim one statutory subject matter.

Claims 16~21 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Replacing the words *a database storing information* with "computer executable program containing a database tangibly embodied on a computer readable medium" is a suggestion for how to bring these claims into compliance with 35 U.S.C. 101 because "a computer-executable program containing a database tangibly embodied on a computer readable medium" is statutory subject matter.

### **Claim Rejections - 35 USC § 102**

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

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**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**12.** Claims 1~3, 10~12, 14, 16~20, 26, 27, 29, 31, 32, 34, and 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Serkin et al. (hereinafter "Serkin"); (US 2002/0161687 A1).

**As per Claim 1, 9, 17:**

Serkin as shown discloses the following limitations:

- *advertising a block trade of a particular security indicating a volume associated with the block trade; and* (See at least Page 8, Paragraph 0088+, "...advertise their trading interest... display size...")
- *attaching to the advertisement an indication by an exchange that the block trade was executed through the exchange.* (See at least Page 2, Paragraph 0021+, "...an indication (ATTR)...", when executed, NON-ATTR turns to ATTR)

**As per Claim 2, 18:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *including an identifier of the trading firm with the advertisement.* (See at least Page 1, Paragraph 0003+, "...market participant identification...")

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**As per Claim 3, 19:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *advertising is conducted under control of the trading firm.* (See at least Page 1, Paragraph 0020+, "...market maker can send a proprietary quote...quote that represents trading interest of a sponsored entity...")

**As per Claim 10:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *controlling advertising of trades using parameters specified by each trading firm that defer advertisement of trades for a period based on the size of the report and the security concerned.* (See at least Fig. 3A, 46, 54 checks to see if it is in the range of quote level(size), it is inherent that quote would contain info on the security concerned)

**As per Claim 11:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *allowing a trading firm to add the trading identifier after the trade is completed to provide trade-by-trade control.* (See at least Page 1, Paragraph 0003+, "...checking if a market participant identification associated with the order matches...")

**As per Claim 12, 20:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *linking to a trading firm's position management system to enable a trading firm to suppress advertising of a block of a particular security.* (See at least Page 2, Paragraph

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0030+, "...order entry process determines whether the received quote/order corresponds to a reserve quote..."); (Also see at least Fig. 3A, flow chart Exits if better price is NOT found)

**As per Claim 14:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *flagging a sensitive block upon release for advertising to indicate a delayed advertisement.* (See at least Fig.5B, attributable flag on (Fig.1A, 19C) is set if 87 is filled, if not, it goes to step 88 "DELAY" , flag is set as non-attributable, also sensitive = not meeting the price level)

**As per Claim 16:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *a database storing information related to block trades, including a security, a size and a trading firm;* (See at least Fig.1, 22C)
- *a trade interface coupled to the database via which the database receives block trade information;* (See at least Fig.9)
- *a trading firm interface to the database via which a trading firm enters one or more parameters for publishing block trades; and* (See at least Page 1, Paragraph 0019+, "...enter quotes/orders into the electronic market system...")
- *a data feed coupled to the database and outputting published block trades in accordance with the trading firm established parameters.* (See at least Page 2, Paragraph 0023+, "...quotes that are posted by electronic communication networks...")

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**As per Claim 26:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *providing control includes enabling the advertiser to set one or more parameters electronically with which subsequent advertisements are published in accordance.* (See at least Page 8, Paragraph 0089+, "...set a default number of shares...")

**As per Claim 27:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *one or more parameters includes a volume threshold below which no trades are advertised.* (See at least Page 5, Paragraph 0056+, "...a minimum Acceptable Quantity order...")

**As per Claim 29:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *one or more parameters includes a list of related trading firms over which to aggregate trading volume before advertising.* (See at least Page 6, Paragraph 0077+, "...listed the MMIDs for each registered market maker...")

**As per Claim 31:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *provides an indication in a order indicating whether a trade resulting from the order should be included as an advertisement or not* (See at least Page 2, Paragraph 0030+,



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"...If the quote does not corresponds to a reserve quote then the quote is a displayable quote...")

- *and an identification of a trading firm that should get credit for the trade.* (See at least Page 1, Paragraph 0003+, "...checking if a market participant identification associated with the order matches...")

**As per Claim 32:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *transmitting a data feed including a plurality of block trade advertisements from the trusted source.* (See at least Page 6, Paragraph 0071+, "...ECNS...transmit multiple quotes/orders at multiple prices...")

**As per Claim 34:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *the plurality of definable parameters includes a volume associated with each advertisement.* (See at least Page 8, Paragraph 0088+, "...advertise their trading interest... display size...")

**As per Claim 36:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *identifying an advertisement of a trade that has been delayed by an advertiser.* (See at least Fig.5B, attributable flag on (Fig.1A, 19C) is set if 87 is filled, if not, it goes to step 88 "DELAY", flag is set as non-attributable, flag = identifier)

### **Claim Rejections - 35 USC § 103**

**13.** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**14.** The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

**15.** Claims 4~8 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of Coss et al. (hereinafter "Coss"); (US 2003/0233380 A1).

**As per Claim 4:**

Serkin as shown discloses the following limitations:

- *collecting data on trading volumes from clearing and settlement records;* (See at least Page 1, Paragraph 0002+, "...collect, aggregate and display pre-trade information...")
- *providing a reporting entity* (See at least Page 1, Paragraph 0019+, "...a reporting system...")
- *an opportunity to enter a trading identifier of a trading entity that should get credit for the volume when an order is sent to a participating market venue; and* (See at least Page 1, Paragraph 0003+, "...checking if a market participant identification associated with the order matches...", entering = checking)

However, Serkin specifically does not mention aggregating the trading identifier among many subsidiaries. Using a single identifier to combine multiple dataset into one is commonly known process in a database art. In addition, Coss's aggregate function in database system discloses the following limitations:

- *aggregating the trading identifier, at a trading firm's option, across a group of trading subsidiaries that may make up a larger firm.* (See at least Page 1, Paragraph 0011+)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin's market system as taught by Coss's aggregate function in database system to aggregate a trading identifier among multiple subsidiaries to unify the ID of the large entity. This would simplify the database and make the system more efficient.

**As per Claim 5:**

Combination of Serkin/Coss discloses the limitations as shown in the rejections above.

Furthermore, Serkin also discloses the following limitations:

- *advertising the trades based upon one or more threshold parameters that a firm establishes for each security.* (See at least Page 7, Paragraph 0082+, "...aggregate

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trading interest when the price of the quote/order is within the best three price levels...");

(See at least Page 8, Paragraph 0088+, "...advertise their trading interests...")

**As per Claim 6:**

Combination of Serkin/Coss discloses the limitations as shown in the rejections above.

Furthermore, Serkin also discloses the following limitations:

- *distributing trade advertisements using a market data distribution mechanism.* (See at least Page 8, Paragraph 0088+, "...advertise their trading interests...")

**As per Claim 7:**

Combination of Serkin/Coss discloses the limitations as shown in the rejections above.

Furthermore, Serkin also discloses the following limitations:

- *enabling a consumer to specify a stock and optionally a volume threshold for each stock about which the consumer desires to receive trade advertisements.* (See at least Page 5, Paragraph 0056+, "...a minimum Acceptable Quantity order...")

**As per Claim 8:**

Combination of Serkin/Coss discloses the limitations as shown in the rejections above.

Furthermore, Serkin also discloses the following limitations:

- *comprising providing an interface that allows a trading firm to control advertisement of a trade.* (See at least Page 2, Paragraph 0026+, "...order quote collector facility also includes an interface...")

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**16.** Claim 15 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of **Official Notice**.

**As per Claim 15:**

Serkin discloses the limitations as shown in the rejections above. Furthermore, Serkin also discloses the following limitations:

- *subscribing by end user institutions to a special feed that highlights when sensitive blocks have been released.*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin's market system to highlight the important information in the user interface. This commonly way of alerting the user will help user to identify important information. This would increase the effectiveness and the efficiency of the system.

**17.** Claims 22 and 25 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of Taniguchi et al. (hereinafter "Taniguchi"); (US 2002/0065748 A1).

**As per Claim 22:**

Serkin as shown discloses the following limitations:

- *a user interface via which a user enters one or more control parameters regarding subsequent trade advertisements; (See at least Page 1, Paragraph 0019+, "...enter quotes/orders into the electronic market system...")*
- *a database storing trade information coupled to the user interface over a computer network, said database operated by a trusted third party and receiving user specified control parameters from one or more users; and (See at least Fig.1, 22C)*
- *said trade advertisement data feed being filtered in accordance with the user specified control parameters including one or more advertisements of trades, each of which*

*advertisements includes a trading firm, a price, a size and a security.* (See at least Fig.3A, control parameters = reserve quote)

However, Serkin specifically does not mention aggregating the trading identifier among many subsidiaries. But Taniguchi discloses the following limitations:

- *a trade advertisement data feed output from the database under control of the trusted third party,* (See at least Page 1, Paragraph 0013+, "...a third party an advertisement distribution agent...")

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin's market system as taught by Taniguchi's method of distributing information to let the third party to do the advertisement. This would greatly increase the efficiency of the system.

**As per Claim 25:**

Serkin discloses the concept of advertisement of the block trade but it does not specifically discuss using a third party to do the advertisement. But, Taniguchi discloses the following limitations:

- *a trusted source providing added confidence to accuracy of a block trade advertisement; and providing simultaneously control over the advertisement to a potential advertiser.* (See at least Page 1, Paragraph 0013+, "...a third party an advertisement distribution agent...")

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin's market system as taught by Taniguchi's method of distributing information to let the third party to do the advertisement. This would greatly increase the efficiency of the system.

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**18.** Claims 23~24 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin/Taniguchi in view of **Official Notice**.

**As per Claim 23:**

Combination of Serkin/Taniguchi discloses the limitations as shown in the rejections above. However, Serkin/Taniguchi does not disclose the following limitation. But, But, examiner takes **Official Notice** that is it old and well known in the ecommerce art to use web browser to communicate through the internet.

- *user interface comprises a web browser.*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin/Taniguchi's system to use the web browser when using the internet. This commonly used tool to use the internet will help the user to effectively use the internet.

**As per Claim 24:**

Combination of Serkin/Taniguchi discloses the limitations as shown in the rejections above. However, Serkin/Taniguchi does not disclose the following limitation. But, But, examiner takes **Official Notice** that is it old and well known in the database art to use API to program the user interface.

- *user interface comprises an application programming interface.*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin/Taniguchi's system to have APIs as part of the user interface. This would help the user to improve the system.

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**19.** Claims 13, 21, 28 and 35 are rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of Deshpande et al. (hereinafter "Deshpande"); (US 2003/0110106 A1).

**As per Claim 13, 21, 35:**

Deshpande as shown discloses the following limitations:

- *linking to a trading firm's computers to block potential advertisements of block trades that are on a restricted list of securities maintained by the trading firm. (See at least Page 8, Paragraph 0158+, "...restricted list block...report type should be blocked if primary ticker is on restricted list...", report type = advertisement)*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin's market system as taught by Deshpande's system/method for publishing content to block advertisements of trades on the restricted list. This would help the system to efficiently manage data.

**As per Claim 28:**

Deshpande as shown discloses the following limitations:

- *one or more parameters includes a list of securities about which no trades are advertised. (See at least Page 8, Paragraph 0158+, "...Fields which include...restricted list block...report type should be blocked if primary ticker is on restricted list...", Fields = parameters)*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin's market system as taught by Deshpande's system/method for publishing content to block advertisements of trades on the restricted list. This would help the system to efficiently manage data.



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**20.** Claim 30 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of Wachtfogel et al. (hereinafter "Wachtfogel"); (US 7,340,760 B2).

**As per Claim 30:**

Combination of Serkin/Taniguchi discloses the limitations as shown in the rejections above. However, Serkin/Taniguchi does not disclose the following limitation. But, Wachtfogel discloses the following limitations:

- *delaying advertisement under control of the potential advertiser or the exchange for a controllable period of time. (See at least Column 30, Line 3+, "...control delay of said at least one advertisement...")*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin/Taniguchi's system as taught by Wachtfogel's method for displaying advertisements to control delay when advertising. This added control would help the user to effectively manage the advertisements.

**21.** Claim 33 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of Horst et al. (hereinafter "Horst"); (US 2004/0236669 A1).

**As per Claim 33:**

Combination of Serkin/Taniguchi discloses the limitations as shown in the rejections above. However, Serkin/Taniguchi does not disclose the following limitation. But, Horst discloses the following limitations:

- *receiving the data feed by a subscriber; and (See at least Page 2, Paragraph 0024+, "...transmits select trading orders to the broker server...")*
- *filtering the data feed in accordance with a plurality of subscriber definable parameters that indicate one or more instruments about which a recipient desires to receive*

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*information included in the data feed. (See at least Page 2, Paragraph 0024+, "...filtering the potential trade orders generated by the trading system...")*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin/Taniguchi's system as taught by Horst's automated electronic trading to receive and filter data. This would greatly help the user to effectively manage the system.

**22.** Claim 37 is rejected under 35 U.S.C. 103 (a) as being unpatentable over Serkin in view of Rubin (US 5,638,446).

**As per Claim 37:**

Combination of Serkin/Taniguchi discloses the limitations as shown in the rejections above. However, Serkin/Taniguchi does not disclose the following limitation. But, Rubin discloses the following limitations:

- *inserting a digital signature from the trusted source as evidence of a source of the advertisement. (See at least Column 5, Line 32+, "...an electronic certificate is a signed message from a trusted source...")*

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Serkin/Taniguchi's system as taught by Rubin's method for secure data transfer to insert digital signature on the advertisement. This would greatly increase the security of the advertisement.

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***Conclusion***

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Edward Chang** whose telephone number is **571.570.3092**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James A. Reagan** can be reached at **571.272.6710**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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May 1, 2008

/Edward Chang/ Examiner, Art Unit 4143

/James A. Reagan/

Supervisory Patent Examiner, Art Unit 4143